

REMARKS

Claims 1, 2, 5-7 and 10 have been amended. Claims 1-3, 5-8 and 10 are pending. Applicant reserves the right to pursue the original and other claims in this and in other applications.

The title of the invention stands objected to. Pursuant to the Examiner's suggestion, the title of the invention has been amended to overcome the objection.

Claims 1, 2, 5, 7 and 10 stand objected to for lack of antecedent basis. The claims have been amended to overcome the objection.

Claims 5-8 and 10 stand rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. Applicant respectfully traverses the rejection.

Claim 5 recites a server providing information to a client having "a storage part configured to store a program; and a processor configured to implement a first part, a second part, and a third part . . ." The claimed invention is not software *per se*. Accordingly, independent claim 5 and dependent claim 6 are allowable.

Claim 7 recites a computer-readable recording medium having "a part for storing a program." When functional descriptive material is recorded on a computer-readable medium it becomes structurally and functionally interrelated to the medium. MPEP § 2106(IV)(B)(1). Therefore, independent claim 7 and dependent claim 8 are directed to statutory subject matter. Claim 10 contains similar limitations as claim 7 and therefore, is directed to statutory subject matter.

Claims 1-3, 5-8 and 10 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Publication No. 2002/0082917 ("Takano"). Applicant respectfully traverses the rejection.

The claimed invention relates to a method of reproducing information, a client/server system in which the method is performed, and a computer-readable recording medium storing a program for causing a computer to execute the method. In one embodiment, the client/server system includes a disk ID management server 1 ("first server"), a client PC 2, an application server 6 ("second server"), and a network 7 to which the first server 1, the second server 6 and the client PC 2 are connected. A drive 4 for reading information from and writing information to a hybrid disk 3 is connected to the client PC 2. The first server 1 has a disk ID management database 5 ("database") for managing the disk ID of the hybrid disk 3. The disk ID of the hybrid disk 3 is transmitted to the first server 1 by the client PC 2, the first server 1 determines whether the disk ID is contained in the database 5 and whether usage information field of the hybrid disk 3 is blank, entering data in the usage information field and notifying the client PC 2 of the data entry. For details, please refer to the specification, pages 11+.

Takano is directed to a content programs distribution and returning system as well as content programs rental method that allows charging in accordance with usage time period. The system includes an electronic content programs distributing and returning center server 101, rental store high speed recording apparatuses 120A to 120M, kiosk returning terminals 110A to 110P, 110Q, kiosk management servers 170A to 170K, a card 150 as a recording medium, and a portable viewing terminal (160). The kiosk

returning terminal 110 is connected via the kiosk management server 170 to the electronic content programs distributing and returning center server 101.

Claim 1 recites a method of reproducing information in a client/server system “where a client is directly connected to a server via a network” and the method having the step of “providing an information recording medium containing characteristic information [for] identifying the information recording medium.” This is an important aspect of the invention. The Office Action cites to Takano’s “management information” as referring to the “characteristic information.” Applicant respectfully disagrees. The management information of Takano does not identify the card 150. In contrast, “the characteristic information” of the claimed invention identifies the information recording medium. Even assuming that Takano’s card ID corresponds to the “characteristic information” of the claimed invention, Takano does not disclose or teach that the kiosk returning terminal 110 transmits the card ID to the electronic content programs distributing and returning center server 101. That is, Takano fails to disclose or teach a “client transmitting the characteristic information to a server.”

Further, the Office Action relies on the electronic content programs distributing and returning center server 101 and the kiosk returning terminal 110 to be the server and the client, respectively, of the claimed invention. But the “client is directly connected to [the] server via a network” in the claimed invention. On the other hand, Figure 1 of Takano clearly shows that the kiosk returning terminal 110 is connected via the kiosk management server 170 to the electronic content programs distributing and returning center server 101. Takano fails to teach or suggest that “a client is directly connected to a

server via a network.” For at least these reasons, Applicant submits that claim 1 is allowable.

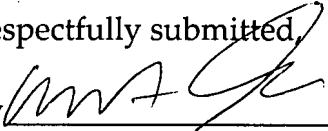
Claim 2 recites a method of reproducing information using an information recording medium in a client/server system where the client is directly connected to a first and a second server via a network. The Office Action relies on the electronic content programs distributing and returning center server 101 as the “first server,” the kiosk management server 170 as the “second server” and the kiosk returning terminal 110 as the “client.” In the claimed invention, the “client is directly connected to each of a first server and a second server via a network.” Figure 1 of Takano, however, clearly shows that the kiosk returning terminal 110 is connected via the kiosk management server 170 to the electronic content programs distributing and returning center server 101. Takano fails to teach or suggest that “a client is directly connected to each of a first server and a second server via a network.” For at least these reasons, Applicant submits that claim 2 is allowable.

Claims 3, 5-8 and 10 contain similar limitations as claim 1. Therefore, claims 3, 5-8 and 10 are allowable for at least the same reasons as claim 1.

In view of the above, Applicant believes the pending application is in condition for allowance.

Dated: October 31, 2007

Respectfully submitted,

By 

Mark J. Thronson

Registration No.: 33,082

Ranga Sourirajan

Registration No.: 60,109

DICKSTEIN SHAPIRO LLP

1825 Eye Street, NW

Washington, DC 20006-5403

(202) 420-2200

Attorneys for Applicant